**Minutes of the Regular Meeting**

**of the Massachusetts Board of Elementary and Secondary Education**

**Tuesday, February 23, 2016**

**8:35 a.m. – 1:10 p.m.**

**Department of Elementary and Secondary Education**

**75 Pleasant Street, Malden, MA**

**Members of the Board of Elementary and Secondary Education Present:**

**Paul Sagan**, Chair, Cambridge

**Katherine Craven**, Brookline

**Ed Doherty**, Boston

**Roland Fryer**, Cambridge

**Margaret McKenna**, Boston

**Michael Moriarty**, Holyoke

**Pendred Noyce**, Boston

**James Peyser**, Secretary of Education

**Mary Ann Stewart**, Lexington

**Donald Willyard**, Chair, Student Advisory Council, Revere

**Mitchell D. Chester**, Commissioner of Elementary and Secondary Education, Secretary to the Board

**Member of the Board of Elementary and Secondary Education Absent:**

**James Morton**, Vice-Chair, Boston

Chair Sagan called the meeting to order at 8:35 a.m.

Commissioner Chester informed the Board that the Dorchester Collegiate Academy Charter School did not appeal the Board’s decision to revoke the charter, so the decision is final. He noted a Harvard University study on implementation of the curriculum frameworks and a Fordham Institute/HumRRO study on assessments. He said the Department is very engaged with the interagency effort concerning the Eagleton School and he will continue to update the Board. Commissioner Chester said the Department is applying for a New Skills for Youth grant for career/vocational education. He notified the Board that the upcoming report on Advanced Placement exam results for Massachusetts will show great progress.

**Comments from the Public:**

1. State Senator Michael Brady and Representative Gerry Cassidy addressed the Board regarding the proposed New Heights Charter School.
2. State Representative Claire Cronin and Representative Michelle DuBois addressed the Board regarding the proposed New Heights Charter School.
3. Omari Walker, founder of New Heights Charter School, addressed the Board.
4. Barbara Madeloni, President of the Massachusetts Teachers Association, addressed the Board regarding New Heights Charter School and Libertas Charter School.
5. Kathleen Smith, Superintendent of Brockton Public Schools, addressed the Board regarding the proposed New Heights Charter School.
6. Tito Jackson, Boston City Councilor and Chair of the City of Boston's Committee on Education, addressed the Board regarding the Boston charter school amendment requests.
7. Michael O’Neill, Chair of the Boston School Committee, addressed the Board regarding the Boston charter school amendment requests.
8. Latasha Sarpy, a Brooke Charter School parent, addressed the Board regarding the school’s amendment request.
9. Cassandra Cumberlander, a Neighborhood House Charter School parent, addressed the Board regarding the school’s amendment request.
10. Peggy Weisenberg, a Boston parent, addressed the Board regarding the Boston charter school amendment requests.
11. Mirlande Laborde, a Pioneer Charter School of Science parent, addressed the Board regarding the school’s amendment request.
12. Lan Katz, Executive Director of the Martin Luther King Jr. Charter School of Excellence, addressed the Board regarding the school’s status and renewal.
13. Matt Holzer, Headmaster of the Boston Green Academy, addressed the Board regarding the school’s status and renewal.
14. Beth Anderson, Founder of the Phoenix Charter School Network, addressed the Board regarding alternative accountability and assessment for non-traditional programs.
15. Carl Tillona, Principal at the Greenfield Commonwealth Virtual School, addressed the Board regarding the virtual school’s status and renewal.
16. Adam Goldberg, Principal/Superintendent of TEC Connections Academy, addressed the Board regarding virtual schools.

**Approval of Minutes**

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education approve the minutes of the January 25, 2016 Special Meeting, January 26, 2016 Joint Meeting, and January 26, 2016 Regular Meeting**

The vote was unanimous.

**Report to the Legislature on Charter Schools**

Commissioner Chester presented the Department’s annual Charter School Enrollment Data Report to the Legislature, which includes a general overview, the legislative cap history and analyses of enrollment requirements, demographic comparability in enrollment, attrition, backfilling, and waitlists. Associate Commissioner Cliff Chuang presented more detailed data on enrollment, examples of demographic comparability, statewide trends, English language learner enrollment, and attrition rates. He noted that the Department recently released charter school waitlist data.

Mr. Fryer suggested ways to improve some of the charter school data displays. Mr. Doherty requested data on school entry and attrition results for the cohort. Secretary Peyser noted that Brooke Charter School’s application includes data analysis on students who left the school and students who stayed. Chair Sagan asked the Commissioner to do some further analysis of student attrition and mobility. Commissioner Chester said he would come back with a timetable for further analysis of the data.

**Recommendations for New Charter Schools**

Chair Sagan thanked Department staff and outside groups that reviewed the applications. He also thanked Board members for attending the charter school hearings. Commissioner Chester said in this charter school cycle the Department received ten prospectuses, and seven groups were invited to submit full applications. Five submitted final applications, and one later withdrew. He said the Commonwealth sets a high bar for charter schools, and he is recommending that the Board approve two applications; the other two will get feedback and may reapply in the future. Commissioner Chester said he recommends charters based on their merits, not reflecting any judgment on the school district. He said both proposals he is recommending would serve students in grades 6-12 and both have strong partners.

Libertas Academy Charter School

Chair Sagan opened the discussion to questions from members. In response to Ms. Stewart’s question regarding a handout she received at a hearing, Mr. Chuang said it is not clear where the data in the flyer came from, and the application was judged on its merits. Ms. Stewart attended the Libertas Academy Charter School hearing and reported that the school had support from parents and the proposed board of trustees. She said the teachers’ union president and an educator testified against the proposal, citing the impact on district schools. Mr. Moriarty said he also attended the hearing and listened to many speakers in favor of the school. He said the two opponents offered broader objections to charter schools, not this particular one, and elected officials did not offer comment.

Ms. McKenna asked about the support the school leader would receive from Building Excellent Schools (BES). Modesto Montero, Libertas’s school leader, addressed the Board regarding his background, experience, and support from Building Excellent Schools. Mr. Fryer said he has prior experience with BES, noting that their fellows take an entire year to plan their work, visiting schools across the country. He said BES cultivates superstar principals and is successful with talent development, which is needed in western Massachusetts. Mr. Moriarty said the members of the school’s board of trustees are deeply qualified. Commissioner Chester said the school proposes to ramp up, starting with one grade in September 2017.

Mr. Doherty said he will speak against all new charters and expansions. He said charter schools were intended to be laboratories of innovation but have gone off track from their intended purpose by diverting funds from traditional schools and creating a separate and unequal system. He said charter schools may benefit some students but they cause harm to more, because the district loses funding and is left with students who are harder to teach. Ms. Stewart said we have reached the tipping point for charter schools in urban areas and they represent a resource drain.

Ms. Noyce said the role of the Board is to oversee and carry out the laws of the Commonwealth, including the approval of charter schools and charter school expansions. She said the Board has an obligation to judge charter school applications on their merits. Secretary Peyser said charter school growth has been accompanied by performance gains in district schools over the past ten years in Boston and other districts, and per pupil spending in the Boston Public Schools has grown by 40%. He noted there are transitional costs associated with enrollment changes, and that is why the state provides reimbursement to districts for charter tuition. Secretary Peyser said there is a clear demand among parents, and the Commonwealth needs more great schools, wherever they come from. Secretary Peyser said we need to encourage more successes in district schools also; the pace of change is not fast enough, as every child only has one chance for K-12 education. He added that the two new charters the commissioner is recommending would be a modest increase to the approximately 81 charter schools in the Commonwealth out of 1900 public schools, and Massachusetts charter schools are the best in the U.S. Mr. Willyard said parents and students want choices, and the Board should judge applications based on their merits.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following school, as recommended by the Commissioner:**

**Commonwealth Charter**

**Libertas Academy Charter School**

Location: Springfield

Maximum Enrollment: 630

Grade Levels: 6-12

Opening Year: FY2018

**The charter school shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may establish, all of which shall be deemed conditions of the charter.**

The motion passed 8-2. Ed Doherty and Mary Ann Stewart voted in opposition.

New Heights Charter School of Brockton

Commissioner Chester said New Heights has brought forward a stronger application and is proposing a partner organization to assist the school with the early college model. He said the school would be regional among three towns that are not geographically contiguous, and he is therefore requiring the school to provide transportation. In response to Chair Sagan’s question, Mr. Chuang said the size of the school and the model are deliberate decisions based upon the rates that Massasoit Community College offers to other high schools. In response to Ms. Noyce’s question, Alyssa Hopkins of the Charter School Office clarified that although the school is regional, she anticipates the most interest from Brockton families.

Ms. Noyce said she attended the New Heights Charter School hearing and many people were both for and against, but parents expressed the need for choice. She said elected officials and school administrators were opposed to the proposal. Ms. Stewart said she attended the hearing and was impressed with the information that was provided about the range of options available in the Brockton Public Schools now. Mr. Doherty said Brockton officials are clearly against the proposal and the Board should not force the school upon them. Chair Sagan noted that the same logic could be applied to Holyoke’s receivership, where the district was opposed to state intervention and after receivership, the Department found that the problems were even more serious than anticipated. He added that the issue of demand would resolve itself based on whether or not parents choose to enroll their children.

In response to Mr. Fryer’s question, Mr. Chuang said the charter school cap based upon net school spending differs from community to community; however, Brockton is not near the nine percent cap. With respect to demand for enrollment, Mr. Chuang said there is evidence of demand and the March 15 enrollment report will provide data. Ms. McKenna said she will vote against the proposal because it is not clear that there is an unmet need and it is hard to see what the school is adding that the district is not already providing. Secretary Peyser said the proposal anticipates that some students may not choose the early college path and the proposal sets a high expectation for readiness. Chair Sagan said the proposal seeks to create an early college model, which the Board has discussed, and the Board will hold the school accountable.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following school, as recommended by the Commissioner:**

**Commonwealth Charter (Regional)**

**New Heights Charter School of Brockton**

Location: Brockton

Charter Region: Brockton, Randolph, Taunton

Maximum Enrollment: 735

Grade Levels: 6-12

Opening Year: FY2017

**The charter school shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may establish, all of which shall be deemed conditions of the charter, including potential caps on maximum enrollment from one or more districts within the school’s charter region as may be required due to fluctuations in the net school spending cap; provided that, no later than July 2016, the school will develop and submit to the Department a plan to provide transportation to students from Randolph and Taunton.**

The motion passed 7-3. Ed Doherty, Margaret McKenna, and Mary Ann Stewart voted in opposition.

**Proposed Amendments to Existing Charter Schools**

Pioneer Charter School of Science

Donald Willyard, a student at Pioneer Charter School of Science, recused himself from the discussion and vote.

Margaret McKenna stepped out of the room at 11:40 a.m.

Commissioner Chester said he is recommending the Board grant the school’s request to increase its maximum enrollment and to expand the grades it serves to a total of 780 students in grades K-12.He said the charter amendment requests the addition of grades K-6 and an increase of 420 students. Commissioner Chester said the school has an outstanding track record in grades 7-12 and has a high demand.

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, as presented by the Commissioner:**

**Pioneer Charter School of Science (enrollment increase from 360 to 780; change in grade span from 7-12 to K-12)**

Location: Everett

Charter Region: Everett, Chelsea, and Revere

Maximum Enrollment: 780

Grades Served: K-12

Effective year: FY2017

**Pioneer Charter School of Science shall be operated in accordance with the provisions of General Laws chapter 71, section 89, and 603 CMR 1.00 and all other applicable state and federal laws and regulations and such additional conditions as the Commissioner may from time to time establish all of which shall be deemed conditions of the charter, including potential caps on maximum enrollment from one or more districts within the school’s charter region as may be required due to fluctuations in the net school spending cap.**

The motion passed 6-2-1. Ed Doherty and Mary Ann Stewart voted in opposition. Donald Willyard abstained.

Margaret McKenna returned to the meeting at 11:45 a.m.

Brooke Charter Schools and Neighborhood House Charter School

Commissioner Chester said he is recommending two charter school expansions in Boston: Brooke Charter School and Neighborhood House Charter School. He said the Department received several high quality requests for expansion, but cannot fulfill all of the requests in light of the charter school cap. The commissioner said both Brooke and Neighborhood House have done an outstanding job with their students.

Commissioner Chester said Brooke’s request is to consolidate their three charters and add a high school. Mr. Chuang said Brooke is a high performing school that achieved the highest performance on PARCC in the state, including for subgroups. The commissioner acknowledged Brooke’s executive director, Jon Clark.

In response to Ms. Stewart’s question, Mr. Chuang said he is unclear on the source of data used for outside claims regarding Brooke’s attrition rates; he added that Brooke has the lowest attrition rate of all Boston charters, and students who leave Brooke typically leave move to other opportunities such as exam schools. Mr. Doherty noted that leaders from the Boston City Council and the Boston School Committee oppose the expansions during a time of district budget cuts. Mr. Fryer said Brooke is one of the best schools he has visited over the past ten years. Ms. McKenna noted that the comments from the Boston officials were directed toward charter schools in general, not the two expansion requests in front of the Board. Ms. Craven said it is great to see more high school options for Boston students.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charters of the Brooke Charter School Roslindale, Brooke Charter School Mattapan, and Brooke Charter School East Boston, as presented by the Commissioner, effective July 1, 2016.**

**The charters of Brooke Charter School Roslindale, Brooke Charter School Mattapan, and Brooke Charter School East Boston shall be consolidated into one charter for Brooke Charter School with a grade span and enrollment as indicated below:**

### **Brooke Charter School (consolidation, change in grade span, increase in**

### **maximum enrollment)**

Location: Boston

Districts in Region: Boston and Chelsea

Maximum Enrollment: 2,221, with a limit of 1,960 from Boston

Grades Served: K-12

Effective school year: FY2017

**The charter school shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter, including to limit the school’s actual enrollment to an amount less than the maximum enrollment approved herein.**

The motion passed 8-2. Ed Doherty and Mary Ann Stewart voted in opposition.

Commissioner Chester said Neighborhood House Charter School is very successful and has earned the opportunity to expand. He said he recommends the Board approve the school’s request to expand to a high school by adding grades 9-12 as well as 428 new seats. Secretary Peyser said the school has done a great deal to collaborate with other schools and has had a significant impact.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, as presented by the Commissioner:**

### **Neighborhood House Charter School (grades served changed from PK-8 to PK-12; enrollment increase from 400 to 828)**

Location: Boston

Maximum Enrollment: 828

Grades Served: PK-12

Effective school year: FY2017

**The charter school shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter, including to limit the school’s actual enrollment to an amount less than the maximum enrollment approved herein.**

The motion passed 8-2. Ed Doherty and Mary Ann Stewart voted in opposition.

**Martin Luther King, Jr. Charter School of Excellence: Report on Probation and Commissioner's Recommendation on Renewal**

Commissioner Chester said he is recommending the Board renew the school’s charter but keep the school on probation with conditions. He said in contrast to Dorchester Collegiate Academy, the school has a low attrition rate and high demand. He said if improvement does not continue he will bring the matter back to the Board next year.

In response to Ms. Stewart’s questions, Mr. Chuang said the school can decide which statewide assessment it will administer this school year, and the conditions and benchmarks are clear to the school. Commissioner Chester said he will rely on whichever assessment the school chooses to determine student performance and growth. Mr. Moriarty said in light of the Board’s previous discussions about the statewide assessment transition and “hold harmless,” he would not vote to penalize the school next year if it falls short *only* on test scores and student growth based on the state assessment. Commissioner Chester confirmed the hold harmless provision would apply as Mr. Moriarty stated it.

**On a motion duly made and seconded:**

**VOTED:** **that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.12(2), hereby renews the charter of Martin Luther King, Jr. Charter School of Excellence for the five-year period from July 1, 2016 through June 30, 2021, extends probation, and imposes four conditions on the school’s charter, as recommended by the Commissioner:**

1. **Until further notice, Martin Luther King, Jr. Charter School of Excellence must submit to the Department, at** [**charterschools@doe.mass.edu**](mailto:charterschools@doe.mass.edu)**, board meeting agendas, materials, and minutes prior to each board meeting at the same time that these items are sent to the school's board members. Additionally, if board materials do not already include this information, the school must also submit monthly financial statements.**
2. **The school must maintain the established escrow account to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**
3. **By December 31, 2016, the school must demonstrate significant and sustained academic improvement in mathematics, English language arts, and science. Should the school fail to do so, the Commissioner and the Board of Elementary and Secondary Education will consider revoking the school’s charter based on failure to meet this condition, rather than wait to see improvement by December 31, 2017.**
4. **By December 31, 2017, the school must demonstrate continued significant and sustained academic improvement in mathematics, English language arts, and science. Should the school fail to do so, the Commissioner and the Board of Elementary and Secondary Education will consider revoking the school’s charter based on failure to meet this condition.**

Commonwealth Charter School:

Martin Luther King, Jr. Charter School of Excellence

Location:                                Springfield

Districts in Region:                Springfield

Maximum Enrollment:         360

Grade levels:                          K-5

**In addition to meeting the terms of probation, Martin Luther King, Jr. Charter School of Excellence, like all charter schools, must comply with the terms of its charter. The Commissioner shall review and report to the Board on the success or lack of success of Martin Luther King, Jr. Charter School of Excellence in meeting the terms of probation and its charter and, based upon his review, shall recommend such further action as he deems appropriate.**

The motion was approved 9-0-1. Mary Ann Stewart abstained.

**Boston Green Academy Horace Mann Charter School: Report on Probation and Commissioner's Recommendation on Renewal**

Commissioner Chester said he is recommending renewal with probation. He said the school is part of the district’s turnaround efforts and while it needs to go further, it has made good progress in the last year.

**On a motion duly made and seconded:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.12(2), hereby renews the charter of Boston Green Academy Horace Mann Charter School for the five-year period from July 1, 2016 through June 30, 2021, extends probation, and imposes four conditions on the school’s charter, as recommended by the Commissioner:**

1. **Until further notice, Boston Green Academy Horace Mann Charter School must submit to the Department, at** [**charterschools@doe.mass.edu**](mailto:charterschools@doe.mass.edu)**, board meeting agendas, materials, and minutes prior to each board meeting at the same time that these items are sent to the school's board members. Additionally, if board materials do not already include this information, the school must also submit monthly financial statements.**
2. **The school must maintain the established escrow account to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**
3. **By December 31, 2016, the school must demonstrate significant and sustained academic improvement in mathematics, English language arts, and science. Should the school fail to do so, the Commissioner and the Board of Elementary and Secondary Education will consider revoking the school’s charter based on failure to meet this condition, rather than wait to see improvement by December 31, 2017.**
4. **By December 31, 2017, the school must demonstrate continued significant and sustained academic improvement in mathematics, English language arts, and science. Should the school fail to do so, the Commissioner and the Board of Elementary and Secondary Education will consider revoking the school’s charter based on failure to meet this condition.**

Horace Mann Charter School:

Boston Green Academy Horace Mann Charter School

Location:                                Boston

Districts in Region:                Boston

Maximum Enrollment:         595

Grade levels:                          6-12

**In addition to meeting the terms of probation, Boston Green Academy Horace Mann Charter School, like all charter schools, must comply with the terms of its charter. The Commissioner shall review and report to the Board on the success or lack of success of Boston Green Academy Horace Mann Charter School in meeting the terms of probation and its charter and, based upon his review, shall recommend such further action as he deems appropriate.**

The vote was unanimous.

Roland Fryer left the meeting at 12:20 p.m.

**Greenfield Commonwealth Virtual School: Report on Probation and Commissioner's Recommendation on Renewal**

Commissioner Chester said he recommends renewing the school’s certificate for an additional three years, the minimum permitted by statute, and extending probation with additional conditions placed on the school’s certificate. He gave the Board background on Greenfield Commonwealth Virtual School and the virtual school statute. Commissioner Chester said the school’s performance is not adequate. He said the larger policy question for the Board is whether the current statutory and regulatory structure should be revisited in light of experience with virtual schools in Massachusetts and other states. The commissioner added that the two virtual schools in the Commonwealth both rely on a vendor to provide the program. Mr. Chuang said the Department has some data on students enrolled in the school, but it is not robust enough to draw conclusions; he is working on additional analysis. Ken Klau, the Department’s director of digital learning, said there are no typical students at virtual schools; some are athletes, others are students with social-emotional issues or medical conditions. He said student turnover is high. In response to a question, Mr. Klau said about 20% of the students were previously home-schooled. Chair Sagan said the Board would like to have more information about virtual schools.

Secretary Peyser asked about the requirement that the virtual school enroll 5% of its students from Greenfield. Mr. Chuang said the requirement is statutory. Ms. Noyce commented that the school’s performance is dismal. She said the Board needs to weigh in on the policy issues relating to virtual schools. In response to a question about timing, Mr. Chuang said the school’s certificate expires in June and the statute requires the Board to grant a certificate of 3-5 years. He said the commissioner is recommending a review after two years. He added that the Commonwealth’s other virtual school, TECCA, is in its first year of operation and is not a high performer. Secretary Peyser suggested bringing in representatives from the Digital Learning Advisory Council for a further discussion with the Board about these policy issues at a future meeting.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 94, and 603 CMR 52.00 hereby renews the certificate of Massachusetts Virtual Academy at Greenfield Commonwealth Virtual School for the three-year period from July 1, 2016 through June 30, 2019, with a maximum enrollment of 750 students in grades K through 12.**

**Commonwealth of Massachusetts Virtual School:**

| **Massachusetts Virtual Academy at Greenfield**  **Commonwealth Virtual School** |
| --- |
| **Location: Greenfield** |
| **Maximum enrollment : 750** |
| **Grade span: K-12** |

**Further, pursuant to 603 CMR 52.12(2), the Board of Elementary and Secondary Education hereby also extends probation for Massachusetts Virtual Academy at Greenfield Commonwealth Virtual School (GCVS) and directs the school to meet the following terms of probation, as recommended by the Commissioner:**

1. **Reporting Requirements:**
   1. **GCVS must continue to submit to the Department, at** [**odl@doe.mass.edu**](mailto:odl@doe.mass.edu) **or 75 Pleasant St., Malden, MA, 02148, board meeting agendas and materials prior to each board meeting at the same time that these items are sent to GCVS board members. Further, GCVS must submit to the Department the minutes of these proceedings as soon as the GCVS board approves them. The Department reserves the right to require the submission of additional information, such as quarterly or monthly financial statements, if board materials do not already include this information. GCVS must provide such additional information within two business days.**
   2. **Effective immediately, GCVS must submit to the Department weekly student enrollment reports that indicate the number of students enrolled on a full-or part-time basis, including the number of students residing in Greenfield.**
   3. **By May 1st of each year, GCVS must submit to the Department a budget for the following fiscal year that demonstrates how the school will provide a high quality education program while adhering to the requirement that not less than 5 percent of the students enrolled in GCVS are residents of Greenfield as required by G.L. c. 71, § 94(c).**
2. **By March 1, 2016, GCVS must submit to the Department a corrective action plan for ensuring that not less than 95 percent of all student groups participate in state assessments.**
3. **By March 31, 2016, the school must establish an escrow account in an amount determined by the Department in consultation with the school to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**
4. **Effective beginning in the 2016-17 school year, the enrollment of GCVS shall be limited to a maximum of 750 students.**
5. **By December 31, 2017, GCVS must demonstrate significant and sustained academic improvement in mathematics, English language arts, and science. Should the school fail to do so, the Commissioner and the Board of Elementary and Secondary Education will consider revoking the school’s charter effective June 30, 2018, and not wait until the end of the certificate term on June 30, 2019.**

**In addition to meeting the terms of probation, the Massachusetts Virtual Academy at Greenfield Commonwealth Virtual School must also comply with the terms of its certificate. The Commissioner shall review and report to the Board on the success or lack of success of Massachusetts Virtual Academy at Greenfield Commonwealth Virtual School in meeting the terms of probation and its certificate and, based upon his review, shall recommend such further action as he deems appropriate.**

**The Commonwealth of Massachusetts virtual school shall be operated in accordance with the provisions of General Laws chapter 71, section 94; 603 CMR 52.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the certificate.**

The vote was unanimous.

**Revised Definition of College and Career Readiness, Incorporating Civic Learning**

Commissioner Chester said the Board discussed the revised definition at last month’s joint meeting with the Board of Higher Education, and the Board of Higher Education subsequently voted to approve the revised definition, as amended based on that discussion.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education approve the revised *Massachusetts Definition of College and Career Readiness and Civic Preparation*, as presented by the Commissioner, and extend its appreciation to the working group from the Department of Elementary and Secondary Education and the Department of Higher Education for revising the definition to incorporate civic learning.**

The vote was unanimous.

Margaret McKenna and Donald Willyard left the meeting at 12:50 p.m.

**Governor’s State Education Budget for FY2017**

Commissioner Chester said Governor Baker filed House 2, containing the Administration's FY17 state spending recommendations for the upcoming fiscal year. He said the Governor is investing more in education although the budget overall is very lean. Secretary Peyser said the budget is austere due to other areas that consume much of the budget such as health care costs, debt service, and pension obligations. He said the Governor did support a 1.5 percent increase across all three education sectors.

**Update on Student Assessment**

Deputy Commissioner Wulfson said the Department is moving full speed ahead on developing a next-generation assessment, and continuing with a testing system for 2016. He said for spring 2016, about 70% of districts have chosen to administer PARCC and about 30% are administering MCAS. He updated the Board on the working groups of educators that have been formed to deliberate and make recommendations on various components of the testing program and curriculum frameworks. Mr. Wulfson said the request for proposals for the next-generation test will be released in March. In response to Chair Sagan’s question, Mr. Wulfson said educators will work this spring and summer to make recommendations for edits and additions to the current English language arts and mathematics curriculum frameworks and in September the Board will discuss proposed revisions to the frameworks.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 1:10 p.m., subject to the call of the Chair.**

The vote was unanimous.

Respectfully submitted,

Mitchell D. Chester

Commissioner of Elementary and Secondary Education

and Secretary to the Board

**Minutes of the Special Meeting**

**of the Massachusetts Board of Elementary and Secondary Education**

**Monday,** **February 22, 2016**

**5:00 p.m. – 7:00 p.m.**

**Department of Elementary and Secondary Education**

**75 Pleasant Street, Malden, MA**

**Members of the Board of Elementary and Secondary Education Present:**

**Paul Sagan**, Chair, Cambridge

**Ed Doherty**, Boston

**Roland Fryer**, Cambridge

**Michael Moriarty**, Holyoke

**Pendred Noyce**, Boston

**James Peyser**, Secretary of Education

**Mary Ann Stewart**, Lexington

**Donald Willyard**, Chair, Student Advisory Council, Revere

**Mitchell D. Chester**, Commissioner of Elementary and Secondary Education, Secretary to the Board

**Members of the Board of Elementary and Secondary Education Absent:**

**James Morton**, Vice-Chair, Boston

**Katherine Craven**, Brookline

**Margaret McKenna**, Boston

Chair Sagan called the meeting to order at 5:00 p.m. and welcomed members of the Board and public.

**Update on Southbridge Public Schools**

Commissioner Chester said a Department team has been present in Southbridge since receivership began last month. He informed the Board that the local stakeholder group, a temporary advisory body that will create recommendations for a district turnaround plan, has been formed. He said individuals and non-profits have expressed interest in the role of receiver, and the search process is still underway.

Senior Associate Commissioner Russell Johnston and Ventura Rodriguez, special assistant to the commissioner, said the team is focused on communications, including a weekly message to the community, weekly meetings with district leaders, and community conversations in housing developments, faith-based organizations, and the library. Mr. Rodriguez said initial areas of focus include establishing a multi-hazard response plan, continuing the instructional focus from the accelerated improvement plan, and recruitment. In response to Mr. Willyard’s question, the Commissioner confirmed that Paul Dakin, former Revere superintendent, is assisting in the district. In response to Mr. Doherty’s question, Mr. Johnston said there are currently three openings in the middle/high school, and the team will continue to monitor hiring and related issues. Mr. Moriarty noted that the Holyoke community conversations were helpful in connecting with parents who are not usually heard from, and he hopes this practice continues in Southbridge. In response to Ms. Stewart’s question, Mr. Rodriguez said the team is working to connect with more parents, particularly those who do not use email, and he has been hearing from parents about some individual concerns with special education and ELL programs.

**Update on Holyoke Public Schools**

Commissioner Chester introduced Receiver Steve Zrike, and noted that the Board received the Therapeutic Intervention Program (TIP) report and will have a chance to discuss it during tonight’s meeting. Mr. Zrike said he spent considerable time looking into the issues and failures that occurred at the TIP program, working with the Department as well as outside entities such as the Office of the Child Advocate and the Department of Children and Families. He said staff and families were interviewed, and correspondence and emails were reviewed. Mr. Zrike said there was a systematic failure to investigate complaints in a timely manner, support students and staff in the program, and properly restrain students. He said the team was working to remedy issues with the program and special education services even prior to the report. Mr. Zrike reported on school and district leadership changes, reduction in the use of restraints, training for teachers in restraint and de-escalation, revised policies on reviewing restraint data, staff evaluations, and meetings with parents.

Mr. Moriarty noted concerns regarding the school building and the relationship between the district and the Department of Children and Families. Mr. Zrike acknowledged the issues with the facility and noted ongoing work with the Executive Office of Education, Executive Office of Health and Human Services, Department of Mental Health, Department of Children and Families, and Office of the Child Advocate. Commissioner Chester said he hopes these discussions will lead to a timely exchange of information and effective interagency communication. Secretary Peyser said the Holyoke receivership is a good vehicle for building interagency connections. Mr. Zrike said the Governor’s Office has been very supportive of these efforts.

Mr. Zrike and Erin Linville, the district's Chief of Strategy and Turnaround, reviewed progress on the five turnaround plan priorities. Mr. Zrike noted a recent climate and culture survey that indicated school safety and quality of professional development as issues. He said the review of the central office found an inadequate structure, weak on data systems and technology. He said he plans to focus on these issues in addition to streamlining procurement for schools and using human resources to assist with talent development. In response to Mr. Doherty’s question, Mr. Zrike said the district provides kindergarten for all students and pre-kindergarten for some, and has committed to providing pre-kindergarten for all students by the end of the turnaround work.

Chair Sagan recommended that the Board vote to go into executive session, in accordance with Mass. General Laws chapter 30A, section 21. He said the purpose of the executive session is to discuss strategy with respect to pending litigation involving the Board and Department of Elementary and Secondary Education, as listed in the February 22, 2016 update distributed by the Commissioner. Discussion of the pending cases in open session may have a detrimental effect on the litigating position of the Board and the Department.

Mr. Doherty said he would not attend the executive session, to avoid any appearance of a conflict of interest. He left at 6:15 p.m.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board go into executive session, in accordance with Mass. General Laws chapter 30A, section 21. The purpose of the executive session is to discuss strategy with respect to pending litigation involving the Board and Department of Elementary and Secondary Education, as listed in the Feb. 22, 2016 update distributed by the Commissioner. Discussion of the pending cases in open session may have a detrimental effect on the litigating position of the Board and the Department.**

The roll-call vote was unanimous.

The Board concluded its executive session at 6:58 p.m.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education return to open session.**

The vote was unanimous.

**On a motion duly made and seconded:**

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 7:00 p.m., subject to the call of the Chair.**

The vote was unanimous.

Respectfully submitted,

Mitchell D. Chester

Commissioner of Elementary and Secondary Education

and Secretary to the Board